



THE UNIVERSITY *of* EDINBURGH

Edinburgh Research Explorer

Book Review

Citation for published version:

Baston, K 2013, 'Book Review: John Finlay, The Community of the College of Justice: Edinburgh and the Court of Session, 1687-1808 (EUP, 2012)', *Eighteenth-Century Scotland*, no. 27, pp. 32-33.

Link:

[Link to publication record in Edinburgh Research Explorer](#)

Document Version:

Peer reviewed version

Published In:

Eighteenth-Century Scotland

Publisher Rights Statement:

© Baston, K. (2013). Book Review: John Finlay, The Community of the College of Justice: Edinburgh and the Court of Session, 1687-1808 (EUP, 2012). *Eighteenth-Century Scotland: The Newsletter of the Eighteenth-Century Scottish Studies Society*, (27), 32-33.

General rights

Copyright for the publications made accessible via the Edinburgh Research Explorer is retained by the author(s) and / or other copyright owners and it is a condition of accessing these publications that users recognise and abide by the legal requirements associated with these rights.

Take down policy

The University of Edinburgh has made every reasonable effort to ensure that Edinburgh Research Explorer content complies with UK legislation. If you believe that the public display of this file breaches copyright please contact openaccess@ed.ac.uk providing details, and we will remove access to the work immediately and investigate your claim.



John Finlay, *The Community of the College of Justice: Edinburgh and the Court of Session, 1687–1808*. Edinburgh: Edinburgh University Press, 2012. Pp. ???.

In *The Community of the College of Justice*, John Finlay explores the world of Edinburgh's influential legal practitioners of the eighteenth century. Although the College had been around since 1532, an act of sederunt of 1687 gave it and the legal practitioners who inhabited it a new structure which defined its membership; this remained in place until 1808, when the court took its two-division form. As Finlay describes, the College was not just a body of legal professionals but also a community of interlinked individuals who depended on each other for business, patronage, and progression. The College was not isolated. Its members played key cultural, social, administrative, and financial roles in the development of Edinburgh as it became a modern urban center.

This book fills a gap in our knowledge about the College and its activities. It offers a comprehensive but succinct description of one of Scotland's most important institutions during a time of change. Historians of law and society will find much of interest: Finlay supplements information from primary and secondary texts with a range of archival sources, some of which have barely been tapped before. His years of research are evident on every page.

Finlay's Introduction puts lawyers in context as privileged members of society linked by kin, marriage, money, patronage, and charity. It also helpfully describes the mechanics of the court. The second chapter describes how members of the College influenced Edinburgh and places them within its physical space. Finlay then divides his communities into groups, with chapters devoted to the Lords of Session, advocates, writers to the Signet, clerks and record keepers, and minor office holders. Each community from the Lords of Session to the extractors and copyists of documents to the keepers of Parliament House had specific roles to play, and Finlay skillfully defines and describes these while also giving individual examples. He reveals not only what people did but who they were and in what particular circumstances they worked. The procedures, practices, and customs of the court are given both as theory from the style books of their time and as practice from the Session Papers and letters of participants. ~~This gives a very real and effective dimension to the presentation of the information.~~ This methodology brings the members of his communities to life.

Finlay provides ~~brings the members of his communities to life with~~ a rich selection of contemporary publications and archival materials, including Town Council minutes, correspondence, and Session Papers. The book achieves its goal: to "identify and examine the lives and activities of those who made up the community of the College of Justice in Edinburgh between 1687 and 1808" (p. 1). Finlay's archival research is impressive in its range and provides many details about day-to-day life in the College. The Town Council records, for example, tell us that Bailie McQueen's efforts stopped the Parliament House roof from leaking in 1774 and that the Inner House's walls were painted olive green in 1787 (p. 54). Parliament House was a lively place, and in 1754 the Lords issued instructions to the macers to enforce order by apprehending any "confabulating" people who were disturbing the Court "particularly att the Back of the Benches in the Innerhouse" (p. 187). It was also a place of rivalry and gossip, where skills, character, and appearance were judged and cliques were formed. The "Itch Club," for example, noticed by the future Lord Cockburn and made up of advocates who were "unemployed middle-aged disreputable" met on the west side of the Outer House (p. 252).

A minor complaint: I would have preferred footnotes on each page to endnotes at the end of each chapter. Finlay's notes are informative and deserve to be read alongside the text. Sometimes the sources, especially for the archival and Session Papers materials, are useful in their own right.

This book will be of interest not only to legal and social historians but also to genealogists, who will appreciate the accompanying "index of persons." The appendices giving lists of Edinburgh's town clerks and agents and the leaders of the bar are also full of interest. This comprehensive and detailed study is bound to inspire more research into the fascinating world of the early modern College of Justice. It is erudite but accessible. There is far too much in it for a single reading, and my copy is already studded with post-it notes marking future visits to the fascinating world that it describes so well.

Karen Baston, University of Edinburgh